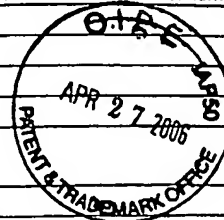


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		Application Number	10/775,497
		Filing Date	February 9, 2004
		First Named Inventor	Clark R. Baker, Jr.
		Art Unit	3736
		Examiner Name	Unassigned
Sheet 1 of 7	Attorney Docket Number		TYHC:0110-9 / 9103-96-48



U.S. PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Document Number		Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ² (if known)				
EW	A1	US-	3,647,299	03-07-1972	Lavallee	
	A2	US-	3,704,706	12-05-1972	Herczfeld et al.	
	A3	US-	4,063,551	12-20-1977	Sweeney	
	A4	US-	4,086,915	05-02-1978	Kofsky et al.	
EW	A5	US-	4,095,117	06-13-1978	Nagy	
	A6	US-	4,266,554	05-12-1981	Hanaguri	
EW	A7	US-	4,407,290	10-04-1983	Wilber	
EW	A8	US-	4,537,200	08-27-1985	Widrow	
EW	A9	US-	4,549,551	10-29-1985	Dyck et al.	
	A10	US-	4,621,643	11-11-1986	New, Jr. et al.	
EW	A11	US-	4,649,505	03-10-1987	Zinser, Jr. et al.	
	A12	US-	4,700,708	10-20-1987	New, Jr. et al.	
	A13	US-	4,705,049	11-10-1987	John	
	A14	US-	4,723,294	02-02-1988	Taguchi	
	A15	US-	4,763,282	08-09-1988	Rosenberg	
	A16	US-	4,770,179	09-13-1988	New, Jr., et al.	
	A17	US-	4,773,422	09-27-1988	Isaacson et al.	
	A18	US-	4,799,493	01-24-1989	DuFault	
	A19	US-	4,800,495	01-24-1989	Smith	
	EW	A20	US-	4,802,486	02-07-1989	Goodman et al.

Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Country Code ³ Number ⁴ Kind Code ⁵ (if known)				
EW 	B1	DE 33288862 A1	02-28-1985			
	B2	EP 0341 327 A1	11-15-1988			
	B3	GB 2 166 326	04-30-1986			
	B4	GB 2 235 288	02-27-1991			
	B5	SU 1674798 A1	09-07-1991			
EW	B6	WO 92/15955	09/17/1992			

Examiner Signature	/Eric Winakur/	Date Considered	05/24/2006
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			Application Number	10/775,497	
			Filing Date	February 9, 2004	
			First Named Inventor	Clark R. Baker, Jr.	
			Art Unit	3736	
			Examiner Name	Unassigned	
Sheet	2	of	7	Attorney Docket Number	TYHC:0110-9 / 9103-96-4B

U.S. PATENT DOCUMENTS

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		Number-Kind Code ² (if known)				
EW	A21	US-	4,817,013	03-28-1989	Corenman et al.	
	A22	US-	4,819,752	04-11-1989	Zelin	
	A23	US-	4,824,242	04-25-1989	Frick et al.	
	A24	US-	4,848,901	07-18-1989	Hood, Jr.	
	A25	US-	4,860,759	08-29-1989	Kahn et al.	
	A26	US-	4,863,265	09-05-1989	Flower et al.	
	A27	US-	4,867,571	09-19-1989	Frick et al.	
	A28	US-	4,869,253	09-26-1989	Craig, Jr. et al.	
	A29	US-	4,869,254	09-26-1989	Stone et al.	
	A30	US-	4,883,353	11-28-1989	Hausman et al.	
	A31	US-	4,892,101	01-09-1990	Cheung et al.	
	A32	US-	4,907,594	03-13-1990	Muz	
	A33	US-	4,911,167	03-27-1990	Corenman et al.	
	A34	US-	4,927,264	05-11-1990	Shiga et al.	
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	A36	US-	4,934,372	06-19-1990	Corenman et al.	
	A37	US-	4,948,248	08-14-1990	Lehman	
	A38	US-	4,949,710	08-21-1990	Dorsett et al.	
	A39	US-	4,955,379	09-11-1990	Hall	
PW	A40	US-	4,956,867	09-11-1990	Zurek et al.	

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	B7					
	B8					
	B9					
	B10					
	B11					
	B12					

Examiner Signature	/Eric Winakur/	Date Considered	05/24/2006
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				First Named Inventor	Clark R. Baker, Jr.	
				Art Unit	3736	
				Examiner Name	Unassigned	
Sheet	3	of	7	Attorney Docket Number		TYHC:0110-9 / 9103-96-4B

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EW	A41	US-	4,958,638	09-25-1990	Sharpe et al.		
	A42	US-	4,960,126	10-02-1990	Conlon et al.		
EW	A43	US-	4,972,842	11-27-1990	Korten et al.		
EW	A44	US-	5,025,791	06-25-1991	Niwa		
	A45	US-	5,054,495	10-08-1991	Uemura et al.		
	A46	US-	5,057,695	10-15-1991	Hirao et al.		
	A47	US-	5,058,588	10-22-1991	Kaestle		
	A48	US-	5,078,136	01-07-1992	Stone et al.		
	A49	US-	5,246,002	09-21-1993	Prosser		
	A50	US-	5,267,562	12-07-1993	Ukawa et al.		
	A51	US-	5,273,036	12-28-1993	Kronberg et al.		
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	A53	US-	5,351,685	10-04-1994	Potratz		
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	A55	US-	5,431,170	07-11-1995	Mathews		
	A56	US-	5,458,128	10-17-1995	Polanyi et al.		
	A57	US-	5,467,778	11-21-1995	Catt et al.		
	A58	US-	Re. 35,122	12-19-1995	Corenman et al.		
	A59	US-	5,479,922	01-02-1996	Reichl		
	EW	A60	US-	5,482,036	01-09-1996	Diab et al.	

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		Country Code ³ Number ⁴ Kind Code ⁵ (if known)				
	B13					
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Examiner Signature	/Eric Winakur/	Date Considered	05/24/2006
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				Application Number	10/775,497	
				Filing Date	February 9, 2004	
				First Named Inventor	Clark R. Baker, Jr.	
				Art Unit	3736	
				Examiner Name	Unassigned	
Sheet	4	of	7	Attorney Docket Number		TYHC:0110-9 / 9103-96-4B

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		Number-Kind Code ² (if known)				
EW	A61	US-	5,485,847	01-23-1996	Baker Jr.	
	A62	US-	5,490,505	02-13-1996	Diab et al.	
	A63	US-	5,494,032	02-27-1996	Robinson et al.	
EW	A64	US-	5,511,042	04-23-1996	O'Brien Jr.	
	A65	US-	5,524,631 A	06-11-1996	Zahorian et al.	
	A66	US-	5,553,615	09-10-1996	Carim et al.	
	A67	US-	5,575,284	11-19-1996	Athan et al.	
	A68	US-	5,575,285	11-19-1996	Takanashi et al.	
	A69	US-	5,588,439	12-31-1996	Hollub	
EW	A70	US-	5,605,151	02-25-1997	Lynn	
	A71	US-	5,632,272 A	05-27-1997	Diab et al.	
EW	A72	US-	5,676,141	10-14-1997	Hollub	
	A73	US-	5,685,299	11-11-1997	Diab et al.	
	A74	US-	5,769,785	06-23-1998	Diab et al.	
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	A77	US-	5,853,364 A	12-29-1998	Baker, Jr. et al.	
	A78	US-	6,002,952	12-14-1999	Diab et al.	
	A79	US-	6,067,462	05-23-2000	Diab et al.	

Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Country Code ³ Number ⁴ Kind Code ⁵ (if known)				
	B19					
	B20					
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	B23					
	B24					

Examiner Signature	/Eric Winakur/	Date Considered	05/24/2006
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				Art Unit	3736
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Sheet	5	of	7	Attorney Docket Number	TYHC:0110-9 / 9103-96-4B

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EW	A80	US-	6,081,735	06-27-2000	Diab et al.	
	A81	US-	6,157,850 A	12-05-2000	Diab et al.	
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EW	A87	US-	6,836,679 B2	12-28-2004	Baker Jr., et al.	
	A88	US-				
	A89	US-				
	A90	US-				
	A91	US-				
	A92	US-				
	A93	US-				
	A94	US-				
	A95	US-				
	A96	US-				
	A97	US-				
	A98	US-				

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	B25					
	B26					
	B27					
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	B29					
	B30					

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Sheet	6	of	7	Attorney Docket Number	TYHC:0110-9 / 9103-96-4B

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
EW	C1	Mook et al., "Wavelength dependency of the spectrophotometric determination of blood oxygen saturation," <i>Clinical Chemistry Acta</i> , 26:170-173 (1969).	
	C2	Rabiner et al., "Theory and Application of Digital Signal Processing," p. 260 (1975).	
	C3	Mook et al., <i>Cardiovascular Research</i> , 13:233-237 (1979).	
	C4	Nehorai, A., "A Minimal Parameter Adaptive Notch Filter With Constrained Poles and Zeros," <i>IEEE Transactions on Acoustics Speech, and Signal Processing</i> , ASSP-33(4):9083-996 (1985).	
	C5	Nehorai, A., et al., "Adaptive Comb Filtering for Harmonic Signal Enhancement," <i>IEEE Transactions on Acoustics, Speech, and Signal Processing</i> , ASSP-14 (5):1124-1138 (1986).	
	C6	Gilbert Strang, <i>Introduction to Applied Mathematics</i> , Wellesley Cambridge Press, Wellesley, Mass. (1986), pp. 148-152.	
	C7	Brown, "Evaluation of Pulse Oximeters Using Theoretical Models and Experimental Studies," Cover page-p. 2 (1987).	
	C8	Neuman, "Pulse Oximetry: Physical Principles, technical Realization and Present Limitations," <i>Continuous Transcutaneous Monitoring</i> , pp. 135-144 (1987)	
	C9	Jinzheng et al., "Digital Processing of High-Resolution electrocardiograms-Detection of His-Purkinje Activity from the Body Surface," <i>Biomed. Technik</i> , 33(10):224-230 (1988).	
	C10	Chen et al., "Adaptive Syystem for Processing of electrogastric Signals," <i>IEEE Engineering in Medicine & Biology Society</i> , 11 th Annual International conference, pp. 698-699 (1989).	
	C11	Klimasauskas, "N eural Nets and Noise Filtering," <i>Dr. Dobb' s Journal</i> , 14(1):32-48 (1989).	
	C12	Severinghaus, "Pulse Oximetry Uses and Limitations," ASA Convention in New Orleans, LA (1989).	
	C13	Harris et al., "D igital Signal processing with Efficient Polyphase Recursie All-Pass Filters," <i>International Conf. on Signal Processing</i> , Florence, Italy (1991)	
	C14	Varanini et al., "A Two-Channel Adaptive Filtering Approach for Recognition of the QRS Morphology," <i>COMPUTERS IN CARDIOLOGY</i> , pp. 11-144 (1991).	
	C15	Robert Grover Brown and Patrick Y.C. Hwang, <i>Introduction to Random Signals and Applied Kalman Filtering</i> (2 nd Ed.), John Wiley & Sons, Inc., New York (1992), pp. 231-232, 261.	
	C16	Hendry, S.D., "Computation of Harmonic Comb Filter Weights," <i>IEEE Transactions on Signal Processing</i> , 41(4): 1677-1680 (1993)	
EW	C17	Testimony of Mohammed Diab, Testimony of Jack Goldberg, Reporter' s Transcript of Proceedings, Morning Session, Feb. 24, 2004, pp. 626-710, US District Court, central District of California, No. CV 00 6506-MRP, Los Angeles, California	

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NON PATENT LITERATURE DOCUMENTS			
Examiner Initials	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
EW	C18	Testimony of Jack Goldberg, Reporter' s Transcript of Proceedings, Afternoon session, Feb. 24, 2004, pp. 711-806, US District Court, Central District of California, No. CV 00 6506-MRP, Los Angeles, California	
	C19	Testimony of Jack Goldberg, Reporter' s Transcript of Proceedings, Morning session, Feb. 25, 2004, pp. 807-826, US District Court, Central District of California, No. CV 00 6506-MRP, Los Angeles, California	
	C20	Testimony of James Edward, Corenman, Testimony of Clark Raymond Baker, Jr., Testimony of Robert Thomas Stone, Reporter' s Transcript of Proceedings, Afternoon session, March 3, 2004, pp. 1696-1795, US District Court, Central District of California, No. CV 00 6506-MRP, Los Angeles, California	
	C21	Testimony of Robert Thomas Stone, Reporter' s Transcript of Proceedings, Morning session, March 4, 2004, pp.1796-1884, US District Court, Central District of California, No. CV 00 6506-MRP, Los Angeles, California	
	C22	<i>Mallinckrodt Inc. and Nellcor Puritan Bennett, Inc. v. Masimo Corp. and Ivy Biomedical Systems, Inc.</i> , Memorandum of Decision and order Re Power-Trial Motions entered July 14, 2004.	
	C23	<i>Mallinckrodt Inc. and Nellcor Puritan Bennett, Inc. v. Masimo Corp. and Ivy Biomedical Systems, Inc.</i> , Final Judgment entered August 6, 2004.	
	C24	FastSat™ Whitepaper by Masimo Corporation (2 pages) - undated	
	C25	Cohen, <i>Biomedical Signal Processing</i> , Vol. 1, pp. 152-159.	
	C26	Joint Exhibits: JTX-5009, JTX-5010, JTX-5013, JTX-5014, TJX-5015, JTX-5017, JTX-5021, US District Court, Central District of California, No. CV 00 6506-MRP, Los Angeles, California	
EW	C27	Wahr, Joyce A., et al., " Pulse Oximetry," <i>Respiratory Care Clinics of North America, Blood Gas Measurements</i> , 1:1 (September 1995), pp. 77-105.	
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